IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 5955 of 2000
With
CIVIL APPLICATION No. 15246 of 2006

For Approval and Signature:
HONOURABLE MS. JUSTICE R.M.DOSHIT

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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SURAT ELECTRICITY COMPANY EMPLOYEES UNION & 21 - Petitioner(s)
Versus
STATE OF GUJARAT, THROUGH SECRETARY, & 2 - Respondent(s)

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Appearance :
MR AK CLERK for Petitioner(s) : 1, 3,9 - 14, 18, 22,
Petitioner(s) : 2,4 - 8,15 - 17,19 – 21 : DELETED
MS VAIJAYANTI PATHAK, AGP for Respondent(s) : 1 - 2.
MR PS CHARI for Respondent(s) : 3,

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CORAM : HONOURABLE MS. JUSTICE R.M.DOSHIT

Date : 22/01/2007

ORAL JUDGMENT

Both the learned advocates agree that twelve of the petitioners-workmen have preferred Termination

Applications under the Bombay Industrial Relations Act, 1946 before the Labour Court, Surat in the subject matter of this petition.

Learned advocate Mr.Chari states that other seven workmen also have filed Termination Applications in the subject matter of this petition as mentioned in paragraph 2 of the above Civil Application before the Labour Court, Surat.

In above view of the matter, the petition except for petitioners nos.9 and 21 shall not survive.

Mr.Clerk agrees that the petitioners nos.9 and 21 also have an alternative statutory remedy before the Labour Court.

In above view of the matter, the petition is disposed of as nineteen of the twenty one petitioners – workmen have availed of the alternative statutory remedy before the Labour Court, Surat.

As to the petitioner no.9 Dilipkumar B.Patel and

the petitioner no.21 Rajendra S.Sonawane, they may avail of the alternative statutory remedy before the Labour Court, Surat.

Subject to the above observation the petition is disposed of. Rule is discharged. The parties shall bear their own cost.

In view of this order, Civil Application stands disposed of.

(Ms. R.M.Doshit, J.)

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